

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
J. ARON & COMPANY, on its own  
Behalf and as Administrative Agent for the :  
Co-Lenders, :

Plaintiff, :

- against - :

OSYKA PERMIAN, LLC, OSYKA  
CORPORATION, and MICHAEL F.  
HARNESS,

Defendants.  
-----X

Case No.: 08 CV 1866

Hon. Harold Baer, Jr.

**NOTICE OF DISMISSAL**

Plaintiff, J. Aron & Company, by its attorneys, hereby dismiss this action against Defendants Osyka Permian, LLC, Osyka Corporation and Michael F. Harness, with prejudice and without costs pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). Each party shall bear its own costs and attorneys' fees. This Notice of Dismissal has been filed before service by the Defendants of an answer or motion for summary judgment.

Dated: September 2, 2008

Respectfully submitted,

By: /s/ Frank LaSalle  
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